

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

Gregory V. Serio, Superintendent of Insurance  
of the State of New York, as Rehabilitator of  
FRONTIER INSURANCE COMPANY, and as  
Assignee of PLATINUM INDEMNITY, LTD.,

Plaintiff,

-against-

DWIGHT HALVORSON INSURANCE  
SERVICES, INC. d/b/a/ F.S.I.M. INSURANCE  
SERVICES and FOOD SERVICE INSURANCE  
MANAGERS, INC.,

Defendants.

04 CV 3361 (KMK)

**NOTICE PURSUANT  
TO RULE 44.1**

Pursuant to Rule 44.1 of the Federal Rules of Civil Procedure, plaintiff Gregory V. Serio, Superintendent of Insurance of the State of New York, as Rehabilitator of Frontier Insurance Company and Assignee of Platinum Indemnity, Ltd., hereby gives notice to the Court, all parties and their counsel that, in support of his motion for partial summary judgment against defendant Food Service Insurance Managers, Inc. on Count IV of the Complaint, the Superintendent shall rely, in part, on the laws of the Island of Bermuda, as provided for in the promissory note at issue on said application.

Dated: New York, New York  
November 11, 2005

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